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Institutional Class Members

14 [Additional Counsel Appear on Signature Page]

16 **UNITED STATES DISTRICT COURT**
17 **NORTHERN DISTRICT OF CALIFORNIA**

18 IN RE ABBOTT LABORATORIES) No. C-04-1511 CW
19 NORVIR ANTITRUST LITIGATION)
20) STIPULATION AND ORDER RE:
21) CONTINUING HEARING ON SUMMARY
22) JUDGMENT MOTION AND CROSS-
23) SUMMARY JUDGMENT MOTION TO
24) MAY 1, 2008
25)

26 WHEREAS, a hearing on Defendant Abbott's motion for Summary Judgment and
Plaintiffs' Cross-Motion for Summary Judgment is presently scheduled for hearing on April 24,
2008;

27 WHEREAS, a scheduling conflict has arisen for counsel for Defendant necessitating a

28 [C-04-1511 CW] STIPULATION AND [PROPOSED] ORDER RE: CONTINUING HEARING
ON SUMMARY JUDGMENT MOTION AND CROSS-SUMMARY JUDGMENT MOTION
TO MAY 1, 2008

1 request that the hearings be continued;

2 WHEREAS, following consultations among counsel for the parties, but subject to
3 approval by the Court, counsel for Plaintiffs have agreed to the requested continuance on the
4 hearing on Defendant's Motion for Summary Judgment and Plaintiffs' Cross-Motion for
5 Summary Judgment for one week until Thursday, May 1, 2008 at 2:00 p.m. providing such
6 continuance does not modify the existing trial date in this case.

7 IT IS THEREFORE STIPULATED by and between the parties, acting through their
8 counsel of record, that, subject to the Court's approval, the hearing on Defendant's Motion for
9 Summary Judgment and Plaintiffs' Cross-Motion for Summary Judgment is continued for one
10 week from April 24, 2008, to May 1, 2008, at 2:00 p.m.

11 Dated: April 18, 2008

Respectfully submitted,

12 **BERMAN DEVALERIO PEASE TABACCO**
13 **BURT & PUCILLO**

14 By: /s/ Christopher T. Heffelfinger
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19 **E-Filing Attestation**

20 I, Christopher T. Heffelfinger, am the ECF User whose ID and password are being used
21 to file this document. In compliance with General Order 45 X.B., I hereby attest that DAVID J.
22 DOYLE, whose e-filing signature appears below, has concurred in the filing of this document.

23 Dated: April 18, 2008

24 **WINSTON & STRAWN**

25 By: /s/ David J. Doyle
26 DAVID J. DOYLE

27 James F. Hurst
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29 **Attorneys for Defendant
30 ABBOTT LABORATORIES**

ORDER

2 It is ordered that the hearing on Defendant's Motion for Summary Judgment and Plaintiffs'
3 Cross-Summary Judgment is continued from April 24, 2008 to May 1, 2008, at 2:00 p.m.

4 || 4/22/08

5 Dated: _____

Claudia Witt

HON. CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE

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[C-04-1511 CW] STIPULATION AND [PROPOSED] ORDER RE: CONTINUING HEARING
ON SUMMARY JUDGMENT MOTION AND CROSS-SUMMARY JUDGMENT MOTION
TO MAY 1, 2008